

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KURTIS E. ARMANN,)	
)	
Petitioner,)	Civil Action No. 04-118(E)
)	
v.)	Judge Sean J. McLaughlin
)	Magistrate Judge Susan Paradise Baxter
WARDEN, FCI McKEAN,)	
)	
Respondent.)	

ORDER

Upon consideration of Respondent's Motion for Certification of Order for Interlocutory Appeal to the United States Court of Appeals for the Third Circuit, it is hereby ORDERED on this _____ day of _____, 2007, that Respondent's Motion for Certification is GRANTED.

IT IS FURTHER ORDERED THAT the Court's May 31, 2007 Memorandum Opinion and Order is hereby amended to indicate that, pursuant to 28 U.S.C. § 1292(b), the "order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation." Therefore, the Court's May 31, 2007 Order is hereby certified for immediate interlocutory appeal to the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. § 1292(b).

_____, J.

cc: Thomas W. Patton, Federal Public Defender
Christy Wiegand, Assistant United States Attorney